

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA     )  
  )  
          v.                             )  
  )  
BENJAMIN SHANE FOSTER         )  
  )

CRIMINAL ACTION NO.  
3:07cr150-MHT  
(WO)

UNITED STATES OF AMERICA     )  
  )  
          v.                             )  
  )  
BENJAMIN SHANE FOSTER         )  
  )

CRIMINAL ACTION NO.  
2:08cr48-MHT  
(WO)

ORDER

Based on the representations made on the record by defendant Benjamin Shane Foster during the ex parte hearing on May 10, 2021; the court having explained to defendant Foster his right to counsel; and the court having considered the factors set forth in, among other cases, *Faretta v. California*, 422 U.S. 806 (1975), *Fitzpatrick v. Wainwright*, 800 F.2d 1057 (11th Cir. 1986), and *Strozier v. Newsome*, 926 F.2d 1100 (11th Cir. 2014), it is ORDERED that:

(1) The court finds that defendant Benjamin Shane Foster has knowingly and voluntarily waived his right

to counsel and that he desires, and agrees, to represent himself in both of the above cases.

(2) The motions to proceed pro se (Doc. 117 in 3:07cr150-MHT and Doc. 71 in 2:08cr48-MHT) are granted.

(3) Defendant Foster shall represent himself in these two cases as to the revocation petitions and any related matters.

(4) Honorable Sandi Irwin is terminated as appointed counsel and shall instead serve as 'standby counsel.'

DONE, this the 11th day of May, 2021.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE